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USDC SDNY
DOCUMENT
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DOC #:
DATE FILED 7/19/04

MEMORANDUM ENDORSED

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LORETTA A. PRESKA
U.S. DISTRICT JUDGE
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July 13, 2004

OUR FILE NUMBER
0981-004

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Hon. Loretta A. Preska
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1320
New York, New York 10007-1312

Re: *EMI April Music Inc., et al. v. Electronic Arts Inc.* (04 CV 3065)

Dear Judge Preska:

We represent defendant Electronic Arts Inc. ("EA") in the above-referenced litigation. We are writing with regard to the initial pre-trial conference, scheduled for July 27, 2004 at 10:30 a.m. Before we received notice of the conference on June 30, 2004, I had made arrangements to be in California the week of July 26 for a series of important business meetings. The next day, on July 1, 2004, we promptly informed plaintiffs' counsel of this conflict and asked if they would agree to ask the Court to reschedule the conference. After subsequent discussions between plaintiffs' counsel and us regarding mutually-acceptable dates, plaintiffs' counsel informed us today that they are available to attend a court conference on Thursday morning, July 22. Accordingly, we respectfully request that the Court reschedule the court conference for Thursday, July 22, 2004 at 9:00 a.m. or at such other date and time as would be acceptable to the Court and the parties.

Thank you for your consideration.

Respectfully submitted,

Dale Cendali
Dale Cendali
of O'MELVENY & MYERS LLP

SO ORDERED
Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE
July 15, 2004

cc: Gregory Clarick, Esq. (Counsel for Plaintiffs)

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